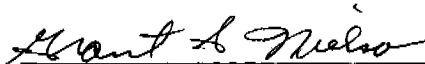


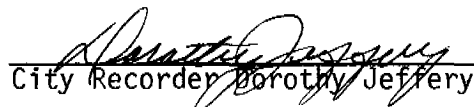
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ITEMS FOR THE MAY 7, 1984, REGULAR CITY COUNCIL MEETING

1. Approval of minutes for the April 9, April 16, April 23 Regular City Council Meetings and the Public Hearing held April 23
2. Attorney Peterson: Present the Del Park annexation ordinance.
3. City Council Member Craig Greathouse: Present the Delta West Annexation Plan
4. Council Member Ruth Hansen: Present the Irrigation Water Fees and proposals for the Water Master Position.
5. City Manager Jim Allan: Present the Resolution Regarding Salary Schedule
6. Present the Proposed Ordinance to Vacate 400 North Street
7. Schedule a Public Hearing for the Purpose of Rezoning Wells and Reliance Wood's Property in Lot 1 Block 2
8. Present the easement from the L.D.S. Church for garden spaces.
9. Have John Quick report on the balance of the bill for design and stake out of the Delta Estates from P&E Engineering

Mayor Nielson then asked if there were any other items to be discussed. There being none, Council Member Neil Dutson MOVED that the meeting be adjourned. The motion was SECONDED by Council Member Don Dafoe. The motion carried. The meeting adjourned at 11:42 p.m.

  
\_\_\_\_\_  
Mayor Grant S. Nielson

  
\_\_\_\_\_  
City Recorder Dorothy Jeffery

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD MAY 7, 1984

PRESENT

Grant S. Nielson  
Don Dafoe  
Neil Dutson  
Craig Greathouse  
Kjell Jenkins  
Ruth Hansen

Mayor  
Council Member  
Council Member  
Council Member  
Council Member  
Council Member

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ABSENT

None

OTHERS PRESENT

Jim Allan	City Manager
Dorothy Jeffery	City Recorder
Warren Peterson	City Attorney
Greg Cooper	City Chief of Police
Ray Valdez	City Building Inspector
John Quick	City Engineer
Tex Searle	Del Park Mobile Home Estates
Tom Chandler	City Resident
Art Jeffery	Chamber of Commerce Member
Jim Fletcher	KNAK Radio

Mayor Nielson called the meeting to order at 8:01 p.m. and stated that notice of the time, place and agenda of the meeting had been posted at the City Municipal office and had been provided to the Millard County Chronicle, the Millard County Gazette, and the local radio station, KNAK, and by personal delivery to each member of the governing body two (2) days prior to the meeting.

REVIEW OF THE APRIL 9, 1984, REGULAR CITY COUNCIL MEETING MINUTES

Minutes of the Regular City Council Meeting held April 9, 1984, were presented for review and consideration for approval. Following a discussion and correction of the minutes, the minutes were approved as corrected upon a MOTION by Council Member Ruth Hansen and SECONDED by Council Member Neil Dutson. The motion carried unanimously.

REVIEW OF THE APRIL 16, 1984, REGULAR CITY COUNCIL MEETING MINUTES

The minutes of the Regular City Council Meeting held April 16, 1984, were presented for review and consideration for approval. Following discussion and correction of the minutes, Council Member Kjell Jenkins MOVED to approve the minutes as corrected. The motion was SECONDED by Council Member Don Daofo. The motion carried unanimously.

REVIEW OF THE APRIL 23, 1984, REGULAR CITY COUNCIL MEETING MINUTES

Minutes of a Regular City Council Meeting held April 23, 1984, were presented for review and consideration for approval. The minutes were discussed and corrected, after which Council Member Kjell Jenkins MOVED to approve the minutes as corrected.

REVIEW OF THE APRIL 23, 1984, PUBLIC HEARING MINUTES

Minutes of a Public Hearing held April 23, 1984, were presented to the Council for their review and consideration for approval. They were

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discussed by the Council, after which Council Member Ruth Hansen MOVED to approve the April 23, 1984, Public Hearing meeting minutes as corrected. The motion was SECONDED by Council Member Neil Dutson. The motion carried unanimously.

#### REVIEW OF ACCOUNTS PAYABLE

City Recorder Dorothy Jeffery asked if there were any questions regarding the accounts payable, which were previously delivered to the Council members for review. The accounts payable were as follows:

<u>BUSINESS</u>	<u>DEPT</u>	<u>ITEM PURCHASED</u>	<u>AMOUNT</u>
CONTEL	Fire Dept.		23.55
CONTEL	Fire Dept.		148.61
CONTEL	City Hall		248.09
CONTEL	Shop		41.57
CONTEL	Police		161.77
CONTEL	City Hall		548.51
AMER PLAYGRND	Parks & Rec	See-Saw Fulcrums	61.16
ARNOLD MACHRY	Streets	Wheel studs/Lug nuts/shp	35.06
CHURCH LUMBER	Parks & Rec	Boards for see-saws	16.08
CONTNTL LIME	Streets	(80 tons) crushed fine	191.10
DEMCO	Library	Book jackets/mag covers	113.05
FORD CHEM LAB	Sewer	Lagoon waste water tests	81.00
LAKE PHILGAS	Shop	Propane for heat	120.35
LYNN'S TIRES	Sewer	Mount/balance 4 tires	36.00
MANIS LEAVITT	City Hall	Public Position Bond	292.00
MILVILLE IRR	Irrigation	Assessment Notice	354.00
MIL CO GAZETTE	Library	Ad for City Librarian	11.00
SEVIER SCHOOL	Parks & Rec	Legal Hanging Folders	38.89
ROCKING R OIL	Water	Gasoline	224.08
ROCKING R OIL	Sewer	Gasoline	224.09
ROCKING R OIL	Streets	Gasoline	224.09
ROCKING R OIL	Fire Dept	Gasoline	224.09
STEVE REGAN	Parks & Rec	26 bags of weed & feed	130.00
PORTRAITS FRVR	Bldg Inspect	Film developed	3.45
RADIO SHACK	Bldg Inspect	Batteries	2.30
RADIO SHACK	Bldg Inspect	Tapes	5.58
SEVIER SCHOOL	Bldg Inspect	Spotlighters	1.18
QUALITY IGA	Bldg Inspect	Film & Batteries	22.03
SO UT OFFICE	Bldg Inspect	Lead & markers	4.99
LOSEE LUMBER	Police	2 keys	2.18
QUALITY HRDWR	Police	7 keys	9.03
RIDING FORD	Street	Rearview mirrors & inspect	25.25
QUALITY HRDWR	Street	2 pick handles	12.98
LOVELL, INC	Street	Brass fittings	2.91
QUALITY HRDWR	Street	Prop. Cyl	3.55
FARMERS SUPPLY	Water	Parts	3.15
FARMERS SUPPLY	Water	Parts	17.37
CHURCH LUMBER	Water	2" x 6" rip & 2 x 2½	6.00

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QUALITY HRDWR	Shop	4 shovels	19.88
CHURCH LUMBER	Shop	1 nipple & bell rel	3.28
QUAILTY IGA	Shop	Note books & record books	5.44
CHAMBER	City Hall	Welcome to Delta Sign	660.00
TOTAL			4,337.40

Following a general discussion of the accounts payable, Council Member Don Dafoe MOVED to approve the accounts payable as listed. The motion was SECONDED by Council Member Ruth Hansen. The motion carried unanimously.

ATTORNEY WARREN PETERSON: DEL PARK ANNEXATION ORDINANCE

City Attorney Warren Peterson noted that copies of the proposed Del Park Annexation Ordinance had been delivered to the Council Members last week and there had been no changes made to the ordinance since that time.

Mr. Tex Searle presented information requested by the Council regarding the improvements to be included in the proposed park dedication and for the easements over the private streets through Del Park Mobile Home Estates leading to the proposed park site.

Mr. Searle stated the following improvements would be included in the park dedication: a sprinkling system, landscaping of the park consisting of lawn and 17 trees, horseshoe pits and a play area. The play area would include swings, slides, and 2 picnic tables. It was noted that lawn would be planted in the entire park. A basketball court will be deferred until the second phase of the Del Mar subdivision.

Attorney Peterson discussed with the Council Section 6.b of the proposed ordinance, which states:

b. The owners of the properties represented in the annexation petition, or of any interest therein, must execute an annexation agreement in a form approved by the mayor and city attorney wherein they agree to abide by the terms and conditions set out in this ordinance.

There was a general discussion of the conditions mentioned in Section 6.b to be drawn up by Attorney Peterson. Council Member Don Dafoe MOVED to adopt Ordinance No. 84-76, entitled:

AN ORDINANCE OF THE CITY OF DELTA, UTAH, PROVIDING FOR ANNEXATION OF CERTAIN TERRITORY INTO THE CORPORATE LIMITS OF SAID CITY AND ESTABLISHING CERTAIN CRITERIA AND CONDITIONS TO THE ANNEXATION OF THE SAID TERRITORY, ESTABLISHING THE ZONE DISTRICT CLASSIFICATION FOR THE ANNEXED TERRITORY AND GIVING FINAL ACCEPTANCE TO THE ANNEXATION PETITION SUBMITTED BY TEX SEARLE AND DAN RANDALL WITHIN THE PETITION ENTITLED "PETITION FOR ANNEXATION TO DELTA CITY OF DEL PARK MOBILE HOME ESTATES PROPERTY."

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containing conditions in Section 6.b to which a supplemental agreement would be added by Attorney Peterson that stipulates the installation of the sprinkling system, landscaping (lawn and 17 trees), horse shoe pits, play area, 2 picnic tables, and a basketball court (this will be deferred until the subdivision's second phase), and authorize Mayor Nielson to approve and sign the agreement. Council Member Craig Greathouse SECONDED the motion, after which Mayor Nielson asked if there were any further questions or discussion. There being none, he called for a roll call vote. the voting was as follows:

Don Dafoe	Yes
Neil Dutson	Yes
Craig Greathouse	Yes
Kjell Jenkins	Yes
Ruth Hansen	Yes

The ordinance was then signed by the Mayor and attested by the City Recorder Dorothy Jeffery.

COUNCIL MEMBER CRAIG GREATHOUSE: DELTA WEST ANNEXATION

Council Member Craig Greathouse explained to the Council that he has signed annexation petitions from land owners, constituting more than 50% of the land and one third of the assessed valuation of the property in the proposed Delta West annexation area, which exceeds the required number to authorize annexation. Council Member Craig Greathouse suggested that a public hearing be scheduled to hear public input on the matter.

Mayor Nielson asked if there were any further questions or comments regarding the proposed annexation. There being none, Council Member Craig Greathouse MOVED to schedule a public hearing on June 11, 1984, at 6:30 p.m. to be held in the Council Chambers in the new City Building, to receive public comment regarding the proposed Delta West Annexation. The motion was SECONDED by Council Member Don Dafoe, and was affirmed by all Council Members.

COUNCIL MEMBER RUTH HANSEN: IRRIGATION WATER FEES AND WATER MASTER POSITION

Council Member Ruth Hansen gave a report to the Council on a meeting that had been held with the irrigation water users within the Delta City limits.

Following her request, Council Member Hansen MOVED that irrigation ditch tax be set at \$25.00 for the 1984 season, and water rental at \$10.00 per share, with a minimum of one share to be rented by each water user renting water. The motion was SECONDED by Council Member Craig Greathouse. Mayor Nielson asked if there was any further discussion regarding the ditch tax and water rental. There being none, he called for a vote on the motion. The motion passed unanimously.

Council Member Hansen stated that it is very important and urgent that a water master be hired so that irrigation water can be turned in as soon as possible.

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Mayor Nielson asked City Manager Jim Allan to proceed with the hiring of a water master.

CITY MANAGER JIM ALLAN: PROPOSED RESOLUTION REGARDING SALARY SCHEDULE

City Manager Jim Allan presented a proposed resolution regarding the salary schedule for 1984 and requested the formal adoption of existing procedures to pay City personnel on the 16th and 1st of each month.

Council Member Craig Greathouse questioned why some of the employees, e.g., those within the police department, were paid on an hourly basis and received overtime, while other City employees were paid a fixed salary. There was a very lengthy discussion regarding this issue, after which Council Member Ruth Hansen MOVED to adopt Resolution No. 84-104, entitled:

A RESOLUTION AMENDING THE CITY PERSONNEL POLICIES MANUAL  
BY ADOPTION OF A REVISED SALARY SCHEDULE AND TO CHANGE  
THE DATE DESIGNATED FOR PAYDAY FOR THE CITY EMPLOYEES.

The motion was SECONDED by Council Member Neil Dutson. Mayor Nielson asked if there was any further discussion on the resolution. There being none, he called for a roll call vote. The voting went as follows:

Don Dafoe	Yes
Neil Dutson	Yes
Craig Greathouse	Yes
Kjell Jenkins	Yes
Ruth Hansen	Yes

Following the voting on the resolution, it was signed by Mayor Nielson and attested by Dorothy Jeffery, Delta City Recorder.

CITY ATTORNEY WARREN PETERSON: PROPOSED ORDINANCE TO VACATE A PORTION OF 400 NORTH STREET

City Attorney Warren Peterson presented a proposed ordinance providing for vacation of a portion of 400 North Street to the Council for discussion and consideration for adoption. Attorney Peterson explained that the proposed ordinance stated the following in Section 3:

Section 3. Authorization to Execute Deeds. Authorization is hereby given for the Mayor and City Recorder, respectively, to execute, attest and deliver quit-claim deeds from Delta City to adjoining land owners conveying that portion of the street vacated herein to said property owners as determined by extension of their existing lot lines to the center line of the vacated portion of 400 North Street. This authorization is conditioned upon approval of said quit-claim deeds by the Delta City Attorney and City Engineer as being accurate as to form, parties and property described and upon the City being provided a description of the

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property to be quit-claimed to each property owner as prepared at no cost to the City by a registered land surveyor licensed by the State of Utah.

Council Member Craig Greathouse MOVED to adopt Ordinance No. 84-77, entitled:

AN ORDINANCE PROVIDING FOR VACATION OF THAT PORTION OF 400 NORTH STREET LYING EAST OF 350 EAST STREET IN THE CITY OF DELTA, UTAH, AND AUTHORIZING EXECUTION AND DELIVERY OF DEEDS QUIT-CLAIMING THE INTERESTS OF DELTA CITY IN SAID STREET.

The motion was SECONDED by Council Member Don Dafoe. Mayor Nielson asked if there were any further questions regarding this ordinance. There being none, he asked for a roll call vote. The voting was as follows:

Don Dafoe	Yes
Neil Dutson	Yes
Craig Greathouse	Yes
Kjell Jenkins	Yes
Ruth Hansen	Yes

The motion carried. Following the voting, the ordinance was signed by Mayor Nielson and attested by Delta City Recorder Dorothy Jeffery.

COUNCIL MEMBER CRAIG GREATHOUSE: SCHEDULING OF A PUBLIC HEARING DATE FOR THE PURPOSE OF REZONING IN LOT 1, BLOCK 49, DELTA TOWNSITE PLAT "A"

Council Member Craig Greathouse MOVED to schedule a public hearing on June 4, 1984, at 6:45 p.m. in the Council Chamber at the new City Building for the purpose of receiving public comments on the proposed rezoning of the following property:

Beginning at the Northeast Corner of Lot 1, Block 49, amended Delta Townsite Survey Plat "A"; thence South 128.11 feet; thence, West 251.0 feet; thence North 127.79 feet; thence, East 251.0 feet to the point of beginning.

The proposed zone change would change the classification of the property from R-4C to Central Business. The motion was SECONDED by Council Member Neil Dutson and received the affirmative vote of all Council Members.

COUNCIL MEMBER NEIL DUTSON: EASEMENT FROM THE L.D.S. CHURCH FOR GARDEN SPACE

Council Member Neil Dutson told the Council that the L.D.S. Church has agreed to grant Delta City a temporary easement over property owned by the L.D.S. Church in the White Sage area for use as garden spaces for residents of Delta and suggested City Attorney Warren Peterson prepare the easement.

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Attorney Peterson stated that he and the L.D.S. Church attorney should work together and prepare the easement and asked that directions be given to the Church representatives to have their attorney contact Mr. Peterson.

Mayor Nielson asked if there was an understanding concerning the water meter and who was going to be responsible for the water used in the garden spots.

Attorney Peterson explained that the purpose of the easement was to establish a temporary public park to provide City residents the opportunity to garden. If the City Council approved this program, the City would be responsible for taking care of the property during the summer months. The easement should state that it will expire as of October 31, 1984. Attorney Peterson further stated the final form of the easement would also provide that Delta City pay for the cost of the installation of the temporary water connection.

Council Member Don Dafoe stated that the water should be metered and that the cost of the water would be billed to the L.D.S. Church. The Church, therefore, would be responsible for paying the water bill.

Attorney Peterson explained that by making the garden project a part of the Delta City Parks and Recreation program and system during the summer months, the City could excuse required costs for the water meter and accompanying hookup charges. It was noted that even though local Church authorities might manage the garden project, it would be under direct supervision of Laura Burnham, the Parks & Recreation Director.

Council Member Neil Dutson MOVED to authorize Attorney Peterson to prepare an easement for the garden project within White Sage and to cooperate with the L.D.S. Church's attorney in its preparation. The easement shall be presented at the next regular City Council meeting for City Council approval. The motion was SECONDED by Council Member Kjell Jenkins and received the affirmative vote of all Council Members.

CITY ENGINEER JOHN QUICK: REPORT REGARDING THE BALANCE OF THE BILL FOR DESIGN AND STAKEOUT OF THE DELTA ESTATES

John Quick reviewed the following memorandum:

To: Mayor Grant Nielson and Administrator Jim Allan  
From: John Quick  
Date: April 23, 1984  
Subject: Delta Estates - Engineering Fees

My project file on Delta Estates Special Improvement Project shows that the original estimate for the project included a 7% engineering fee for P&E Engineering. The most recent summary submitted by the Citizens Committee was for \$4,214.56, which was 7% of their estimate of construction of \$60,208. The estimates which I prepared and gave to Jim Allan over the phone were as follows:

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Bid Amount	\$65,873.50
5% Contingency	3,300.00
P&E Design & Stakeout	4,250.00
Bush & Gudgell Review & Design	
Contract Documents	2,184.00
Budget for Inspection & Contract	
Administration	910.00
 TOTAL PROJECT	 \$76,517.50

In summary the budget for P&E Engineer service was set up for \$4,250.00 and the expected fee of 7% of bid price is \$4,611.15.

Respectfully submitted,

Bush & Gudgell Inc.  
John Quick,  
Delta City Engineer

Following a review by the Council of the above memorandum, Council Member Ruth Hansen MOVED to approve the total bill of \$4,611.15 minus the \$3,000 advanced payment for P&E design and stakeout at the Delta Estates Project. The motion was SECONDED by Council Member Kjell Jenkins and received the affirmative vote of all Council Members.

CITY ENGINEER JOHN QUICK: CONSIDERATION OF EXTENSION OF THE WATER LINE AT DELTA ESTATES

City Engineer John Quick presented a plat showing the proposed extension of the water lines at Delta Estates. The 570 foot line extension would create a 6-inch diameter pressure loop in the area, plus connection to an existing 4-inch line and would include installation of two 6-inch gate valves at a total cost of \$3,560.

Public Works Superintendent Neil Forster favored the proposed loop line in order to have sufficient water pressure for fire hydrants, as well as having the added capacity to supply water service for future area development.

Mr. Quick stated that he needed a decision within a week in order to inform Skyline Construction Company on how to proceed with the work at Delta Estates. Accordingly, Mr. Quick pointed out the requirement to obtain easements from Rex Day and others for the line extension. After reviewing the issue, Council Member Neil Dutson MOVED to table the matter until the following Council Meeting, which would allow time for Mr. Quick to contact Rex Day regarding the required easements. The motion was SECONDED by Council Member Don Dafoe and carried affirmatively by all Council Members.

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CITY ATTORNEY WARREN PETERSON: ORDINANCE AMENDING THE CITY COUNCIL MEETING TIME

City Attorney Warren Peterson explained the proposed ordinance will change the scheduled time of Delta City Council meetings specified in Section 3-501 of the Revised Ordinances (1981 edition).

Council Member Ruth Hansen MOVED to adopt Ordinance No. 84-78, entitled:

AN ORDINANCE AMENDING SECTION 3-501 OF THE REVISED ORDINANCES OF DELTA CITY (1981 EDITION) TO ESTABLISH THE DATES, TIMES AND PLACES FOR REGULAR MEETINGS OF THE CITY COUNCIL OF THE CITY OF DELTA, UTAH, AND MAKING TECHNICAL CORRECTIONS TO THE SECTIONS PROVIDING FOR CALLINGS OF SPECIAL MEETINGS OF THE CITY COUNCIL AND THE PROCEDURES REGULATING THE CALLING OF SUCH MEETINGS.

The motion was SECONDED by Council Member Craig Greathouse. Mayor Nielson called for a roll call vote. The voting went as follows:

Don Dafoe	Yes
Neil Dutson	Yes
Craig Greathouse	Yes
Kjell Jenkins	Yes
Ruth Hansen	Yes

Following the voting, the ordinance was signed by Mayor Nielson and attested by Dorothy Jeffery, Delta City Recorder.

CITY MANAGER JIM ALLAN: PRESENT STATUS OF THE FIRE STATION EXPANSION AND LAND ACQUISITION

City Manager Jim Allan reviewed the Council's last stated position on the fire station expansion project. The Council had stated that the City should not submit a letter releasing Millard County from any further financial obligation to the project in exchange for the County donating land for the fire house expansion.

Mr. Allan explained that County Commissioner Mike Styler concurred with the City Council's decision not to submit the letter, but the County would need a letter stating what the County's portion of the project should be.

Mr. Allan suggested that because there is a question as to the value of the land where the new facility will be, the County requested that the land be appraised by a qualified appraiser and the appraised value of the land be included in Delta City's budget for the project. Millard County requested that if it is asked to participate in the cost of the project beyond donation of the land that the value of the land be credited as part of their portion of the project.

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Mr. Allan noted that the fire house expansion project and the cost of the fire protection for the County were two separate issues that must be dealt with between Millard County and Delta City.

It was the opinion of the Council that City Manager Jim Allan should formulate a letter regarding the County's share of the cost of the fire house expansion and present the letter to the Council for review at the next City Council meeting.

CITY ATTORNEY WARREN PETERSON: PROPOSED RESOLUTION FOR RATIFICATION OF AMTRACK SHELTER SITE LEASE

City Attorney Warren Peterson reviewed the lease agreement for Amtrack Shelter which the Council had approved on March 19, 1984. Even though the agreement did not specify that a resolution be adopted to approve the agreement, Union Pacific Railroad has requested that a resolution be adopted regarding the Amtrack Shelter.

Following the explanation of the proposed resolution by Attorney Peterson, Council Member Craig Greathouse MOVED to adopt Resolution No. 84-105, entitled:

A RESOLUTION RATIFYING AND CONFIRMING THE APPROVAL OF A LEASE AGREEMENT BETWEEN THE LOS ANGELES AND SALT LAKE RAILROAD COMPANY AND ITS LESSEE, UNION PACIFIC RAILROAD COMPANY, AND THE CITY OF DELTA TO PROVIDE FOR LEASE OF THE SITE FOR AN AMTRACK SHELTER IN THE CITY OF DELTA, UTAH.

The motion was SECONDED by Council Member Kjell Jenkins, after which Mayor Nielson called for a roll call vote on the resolution. The voting was as follows:

Don Dafoe	Yes
Neil Dutson	Yes
Craig Greathouse	Yes
Kjell Jenkins	Yes
Ruth Hansen	Yes

Following the voting, Mayor Nielson signed Resolution No. 84-105 and it was attested by City Recorder Dorothy Jeffery.

OTHER BUSINESS DISCUSSED

Sprinkling system at the new City Building.

CITY ATTORNEY WARREN PETERSON: REPORT FROM CITY ATTORNEY'S OFFICE ON PENDING LITIGATION

Council Member Don Dafoe MOVED to go into a closed session for the purpose of discussing pending litigation. The motion was SECONDED by Council Member

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Ruth Hansen. The Mayor called for a roll call vote on the motion, which went as follows:

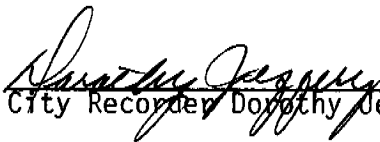
Don Dafoe	Yes
Neil Dutson	Yes
Craig Greathouse	Yes
Kjell Jenkins	Yes
Ruth Hansen	Yes

Following the motion, the Council convened into closed session at 10:35 p.m.

Council Member Neil Dutson MOVED to go back into an open session as 11:25 p.m. The motion was SECONDED by Council Member Craig Greathouse. The motion carried unanimously.

Mayor Nielson asked if there were any further items to be discussed in Council Meeting. There being none, Council Member Don Dafoe MOVED to adjourn the meeting. The motion was SECONDED by Council Member Neil Dutson and approved by a unanimous vote of the City Council. The meeting adjourned at 11:26 p.m.

  
\_\_\_\_\_  
Mayor Grant S. Nielson

  
\_\_\_\_\_  
City Recorder Dorothy Jeffery